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ABSTRACT

This technical assistance paper is designed to give trainers guidance on teaching the development and use of substance-abuse lessons found in "Street Law: A Course in Practical Law." The paper provides background on the lessons, a rationale for using the lessons, and sample agendas to use in training. "Street Law" contains substance abuse lessons in the areas of criminal law, juvenile justice, torts, family law, housing law, and individual rights and responsibilities. The substance abuse prevention lessons are designed to encourage young people to examine the consequences of substance abuse from the perspective of both individuals (victims, legislators, judges and law-enforcement personnel) and society as a whole. An index of alcohol, drug, and tobacco related materials found in "Street Law" and an evaluation form to be used in conjunction with "Street Law" materials can be found in the appendix. (TSV)

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Substance Abuse and the Law :

A Technical Assistance Paper

For the Street Law Substance Abuse Lessons

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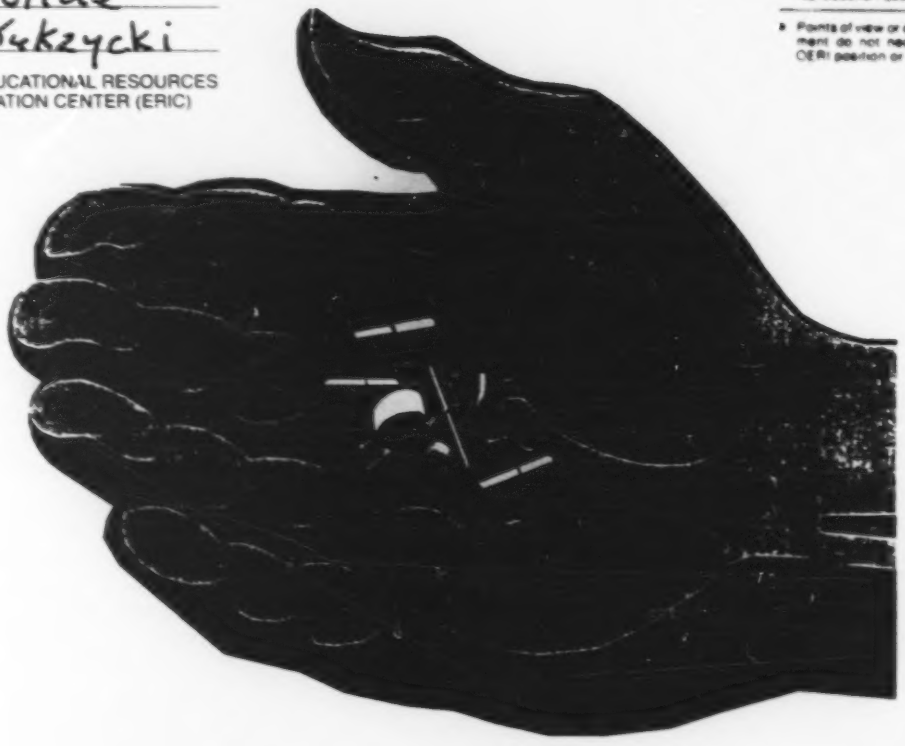

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TABLE OF CONTENTS

I. Introduction ..... *i*

II. Technical Assistance Paper
What Types of Substance Abuse Lessons Are In Street Law 1

III. How to Plan Your Drug-Focused Training 6

IV. A Good Lesson 9

V. Sample Agendas 11

VI. Appendix

A. Evaluation 19

B. Index to substance abuse lessons in Street Law
Fifth Edition 21

INTRODUCTION

The National Institute for Citizen Education in the Law has developed an index to the alcohol, drug and tobacco related lessons found in **STREET LAW: A COURSE IN PRACTICAL LAW**, fifth edition. These substance abuse prevention lessons are designed to encourage young people to examine the ramifications of substance abuse on the individual and society. The lessons convey practical information and provide students with the opportunity to look at problems from the perspectives of legislators, judges, law enforcement personnel and victims.

This technical assistance paper is designed to give trainers guidance in teaching educators and others how to develop and use the substance abuse lessons in their curricula. This paper provides background on the substance abuse lessons found in **STREET LAW**, a rationale for using the lessons, and sample agendas to use in training.

WHAT TYPES OF SUBSTANCE ABUSE LESSONS ARE IN STREET LAW?

STREET LAW contains substance abuse lessons in the areas of criminal law, juvenile justice, torts, family law, housing law, and individual rights and responsibilities. Some of the learning strategies used include: drafting a drunk driving law; debating the pros and cons of drug legalization and drug testing; role-playing exercises; and a mock trial on the issue of host liability.

WHY SHOULD THESE LESSONS BE USED?

The problem of substance abuse in our society continues to be a significant issue. The substance abuse lessons found in STREET LAW serve a variety of purposes. First, good LRE lessons develop practical legal knowledge, the critical thinking and participation skills needed for citizenship, and positive attitudes. LRE lessons have also been shown to reduce the risk for delinquency. Second, the problem of substance abuse continues to be a major issue in our society. The substance abuse lessons offer young people the chance to reflect on the legal, moral, and practical difficulties involved in dealing with this problem. The lessons also offer ample opportunity for student input on how to make substance abuse laws and law enforcement more effective. Third, the relationship between violence and the use of drugs, including alcohol, is clearly established. For example, the following statistics from the Bureau of Justice Statistics, Survey of State Prison Inmates link drug use and violent behavior:

The number of inmates serving time for violent crimes increased from 245,600 in 1986 to 328,000 in 1991. This was a 34% increase in the number of violent inmates.

The percentage of inmates in prison for a drug offense crime rose from 9% in 1986 to 21% in 1991.

> Over 3 times as many inmates were serving a prison sentence for a drug charge in 1991 (150,300) as in 1986 (38,500).

61% of violent inmates said that they or their victims were drinking or using drugs at the time of their crime.

	% of inmates reporting that they or their victims were under the influence of drugs including alcohol at the time of the offense		
Violent Offense	**Inmate**	**Victim**	**Inmate or Victim**
All	50	30	61
Homicide	52	46	70
Sexual Assault	42	19	47
Robbery	52	19	61
Assault	50	42	68

Among inmates serving a sentence for burglary or robbery, about 6 in 10 inmates had used drugs in the month before the arrest for the current offense, and about 4 in 10 were under the influence at the time of the offense.

27% of inmates in prison for robbery and 30% of those serving time for burglary reported committing their offense to get money for drugs. About 25% of inmates in prison for drug trafficking reported money for drugs as a motive.

Compared to men in prison, women had used drugs and had committed crimes to buy drugs relatively more often.

12,600 women were serving a sentence for drug offenses in 1991, a 432% increase from about 2,300 female inmates serving time for drugs in 1986.

Female inmates were more likely than male inmates to have used drugs in the month before the offense (54% vs. 50%) and to have been under the influence at the time of the offense (36% vs. 31%).

Drinking inmates had consumed an average of nearly 9 ounces of ethanol (the equivalent to about 3 6-packs of beer or 2 quarts of wine) before their offense.

About half the inmates under the influence at the time of the offense had been drinking 6 hours or more.

Over 25% of inmates reported their parents or guardians had abused drugs or alcohol.

Among all inmates, those who lived with both parents were least likely to report parental/guardian substance abuse (23%). 37% of inmates who lived with their fathers reported substance abuse in the home, compared to 27% of those who lived with their mothers and 34% of those who had other living arrangements.

32% of all inmates in 1991 had used crack or cocaine on a regular basis, compared to 22% in 1986.

About 80% of inmates in both 1986 and 1991 reported using a drug, and 62% reported regular use of a drug at some time in their lives.

About 14% of inmates committed their offense under the influence of crack or cocaine.

	% on inmates who in the month before arrest used:			
	Crack	Powder Cocaine	Another Drug	No Drug
Current Offense	100	100	100	100
Violent Offense	33	39	48	51
Homicide	5	10	14	14
Sexual Assault	4	5	7	13
Robbery	19	17	17	12

	% on inmates who in the month before arrest used:			
	Crack	Powder Cocaine	Another Drug	No Drug
Assault	5	6	8	10
Property Offense	31	25	26	23
Burglary	16	14	14	10
Larceny	7	6	5	4
Drug Offense	32	30	20	17
Possession	12	11	7	6
Trafficking	20	18	12	11
Public Order Offense	4	5	5	9
Committed Offense for S for Drugs	55	43	20	---

As can be seen from the statistics, effective violence prevention now entails an understanding of the relationship between substance abuse and violence. As more and more community efforts are being targeted toward violence prevention, the substance abuse lessons found in STREET LAW can be an extremely useful component of a violence prevention program.

HOW SHOULD THESE LESSONS BE USED?

These lessons are best utilized if they are infused in practical law or government courses taught by teachers who have received training in law related education. They are not designed primarily to stand alone as a mini-course on substance abuse prevention, although it is possible to use them in that fashion. Moreover, the lessons are designed to allow for use of an outside resource person to add more substantive information to the lesson. For example, law enforcement officers are always concerned about helping young people make responsible decisions. The

officers see the consequences of young people's irresponsible decisions, especially when they result in a person choosing to use alcohol or drugs. Law enforcement officers can assist with a number of the lessons, including those dealing with drunk driving and responsible decision making. Lawyers, doctors, and drug & alcohol counselors are just a few of the many other community people that can be called upon to serve as an outside resource person in order to help students understand the lessons and the complex problem substance abuse poses for many communities.

WHAT GOALS ARE WE TRYING TO ACHIEVE?

Our philosophy is that teaching a few lessons is not likely to change a youngster's behavior over the long run. Our purpose in putting together the index is to try to interest educators in establishing practical law elective courses that would include, but not be limited to, substance abuse prevention lessons.

By exposing students to these lessons they will have the opportunity to analyze the legal, social, moral, and practical issues related to the drug problem. Students will be able to critically examine the impact that the drug problem has on all aspects of our lives and work together to come up with solutions.

HOW TO PLAN YOUR OWN DRUG-FOCUSED TRAINING

• SETTING UP YOUR SESSION

Schools are an excellent place to start. Teacher in-service days or school district meetings present good training opportunities. Also, check out conferences given by state and local professional organizations, as well as the local bar association.

• FINDING AN AUDIENCE

Talk and write about it to anyone you think would be interested. Distribute flyers. Put up posters, stuff teachers' mailboxes, announce it at meetings, talk to those people in positions of power. Remember your audience and adapt accordingly. If your audience is teachers -- talk methodology and content. If it's law enforcement personnel -- talk crime prevention and deterrence.

• IDENTIFYING THE AUDIENCE'S NEEDS

You can never know too much about your audience! Make sure you identify your audience's needs, motivations, and interests. Remember to find out: 1) who is coming, 2) why they are coming, 3) and what they'll be able to use from the session.

• SETTING GOALS

All sessions should have clearly defined and stated goals. Ask yourself, "What do I want the participants to know or be able to do at the end of the session?" Participants should leave your session knowing WHY they came and knowing HOW to use what they have just learned.

Here are examples of some general goals for drug awareness sessions:

- To describe the rationale of NICEL's substance abuse lessons
- To demonstrate a lesson using the content of a substance abuse lesson and LRE methodology
- To discuss public policy reasons behind a certain law or act

- **DESIGNING THE AGENDA**

Remember: time is a fleeting commodity. You will undoubtedly feel frustrated because there isn't enough time to accomplish all that you set out to do. Plan your agenda realistically, especially if you are using resource people. Remember to budget for coffee and bathroom breaks. Always save enough time at the end for an evaluation.

A GOOD LESSON

When you are conducting your training, remember that you are MODELING a lesson that the teachers should be able to take back to their classroom/workshops immediately. So, demonstrate the lesson exactly as you would have it replicated by your audience. Keep in mind that the participants will be functioning in dual roles: as students and teachers. Therefore, involve them actively as learners, and discuss with them as teachers what you have done throughout the session.

Here are the basic components of a good lesson:

- **THE SET-UP**

The set-up includes an explanation of the lesson's objectives and procedures, as well as a focuser. The focuser can be a question or statement to spark participants' interest in the lessons. For substance abuse lessons, a mind walk, or visualization, of how drugs impact the individual and the society is effective (e.g., car insurance rates are higher due to people driving while intoxicated (DWI), judicial system is clogged because of drug-related crimes, etc.)

- **INTERACTIVE STRATEGY**

This is the actual demonstration of the lesson. Try not to talk your way through a lesson, rather have the participants actually DO this part of the lesson. Small group work, cooperative learning, role-plays, mock trials and hearings are all strategies that will actively include the participants. This part of the lesson will take the longest, so monitor your time carefully.

- **DEBRIEF DEBRIEF (or Double Debrief)**

First, debrief the lesson as a teacher would with students. What did they learn? Did their perspective on the subject change?

The double debrief has teachers evaluating the lesson from a teacher's perspective. The importance of this part of the session can not be over-emphasized -- don't try to save time by skimping here! Some of the questions you can ask for the double debrief are:

- What are the strengths of this lesson? What made it work?
- What are the obstacles? How could they be overcome?
- What foundation and follow-up are necessary before this lesson could be used?
- Where does it fit in the curriculum?
- What kinds of resource people could be used?

SAMPLE AGENDAS

90 MINUTE WORKSHOP

DRAFTING LEGISLATION LESSON: Problem 22, pages 103-104 of STREET LAW, fifth edition.

I. INTRODUCTION

A. Objectives: As a result of this session, participants will be able to:

- describe the rationale and content of NICEL's substance abuse lessons;
- discuss public policy reasons for enacting a Driving Under the Influence (DUI) statute;
- draft a local ordinance to deal with drunk driving;
- analyze the fairness of laws using three criteria;
- identify where this lesson would fit into their curriculum.

B. Go over the initiative, and the content and structure of NICEL's drug sampler.

II. WARM-UP ACTIVITY

Mind walk with drugs and alcohol. Put participants in pairs and have them discuss ways drugs and alcohol have impacted our lives. (Areas that have been affected include: family, business, insurance, employment, justice system, health and medicine; education; law; transportation, etc.) After a few minutes, compile their answers on a flip chart. Ask the participants in what curriculum areas a discussion of these issues would fit.

III. LESSON

NOTE: You should have a copy of your state DUI statute for this legislative drafting strategy. This activity also lends itself well to the use of a resource person. (state legislator, police officer, judge, attorney, etc.)

A. Historical context: How did we deal with drunk driving 10 years ago? What happened to change our views? (MADD, SADD) What happened to our laws as a result? Has our society changed its way of looking at drunk driving? Does DUI entail more than just drunk driving?

B. Elements for a DUI statute: Have participants brainstorm what kinds of things need to be included in this law. List these on the flipchart. (Answers might include: kinds of substances; BAC - blood alcohol content; enforcement/consequences/penalties; what kinds of vehicles; public vs private roads;)

C. Evaluating a statute: The statute will be evaluated using three criteria: purpose, clarity, enforceability.

D. Drafting the statute: Before putting the participants in small groups of 3-4, give them the instructions for the activity. They will have 20-25 minutes to write the statute on flip chart paper, keeping in mind the elements that have been listed. Their law will be posted on the wall and evaluated using the three criteria.

NOTE: A resource person could offer his/her critique at this time. The state law could then be used to compare with the statutes written by the participants.

IV. DEBRIEF

What was the most difficult aspect of trying to draft a DUI statute? In what areas was there the most agreement among members of your group? The most disagreement? How did you resolve your differences? What information would have been useful to you in drafting this statute?

Double Debrief: What is the power of this lesson? Why did it work? What obstacles must be overcome, if any, in order for this lesson to work? What kind of foundation and follow-up activity could be used? How were/could resource people be used? Where would this fit in your curriculum? What is there about this lesson that serves its substance abuse prevention purpose?

HALF-DAY WORKSHOP (3 HOURS)

Two lessons from the substance abuse lessons can be used for a half-day workshop.

DRUG TESTING LESSON: Problem 56, pages 538-540 of STREET LAW, fifth edition.

I. INTRODUCTION

A. Objectives: As a result of this session, participants will be able to:

- describe the rationale and content of NICEL's drug sampler;
- discuss two public policy reasons for and against drug testing.

II. WARM-UP ACTIVITY

Brainstorm occupations that should require drug testing. Put participants in pairs and have them list occupations for which they think it is important to require mandatory drug testing. (Some possible occupations are: air traffic controllers, subway operators, athletes, etc.)

III. LESSON

- Brainstorm the definition of a customs agent and write it on the flip-chart. Discuss the sensitivity of the job, need for background checks, standards for employment, etc.
- Post signs at opposite ends of the room. One sign should read "Drug Testing For All," the other "No Drug Testing." ("Drug Testing for All" is interpreted to mean drug testing for all customs agents now employed as well as those newly hired.)

- Continuum Strategy:

  Have participants (no more than 10 at a time) stand up along a continuum under the appropriate signs based on how they feel about this issue. Give the participants time to discuss with each other what their position on the issue is so they know where to stand.

  Ask each person standing to state aloud what her/his position is (just the position, not the reason). Then randomly ask participants to state a justification for their position. Advise participants that they are not to argue with each other, that each person should be able to state her/his reasons without interruption.

  After the reasons have been articulated, ask whether there are any participants who have changed their mind and would like to change where they are standing on the continuum. Ask participants to state the most compelling reason they heard from the position taken by those at the opposite end of the continuum, and vice versa.

- Mini Mock Hearings:

  Give participants the fact pattern on pages 538-539. The group should come up with the key facts and issue to be decided. This information should be recorded on the flipchart.

  Put participants into groups of three. One person should argue for drug testing, one against, and one person should act as a judge. The judge should render a decision, and note the most compelling arguments raised by both sides.

  The judges' decisions and reasons should be reported to the group and recorded on the flipchart.

IV. DEBRIEF

Of the reasons listed, what arguments are most persuasive for each side of the issue? Least persuasive? Should those employees not on the front-

lines, but in sensitive positions, be required to undergo drug testing? Why or why not?

Double Debrief: What is the power of this lesson? Why did it work? What obstacles must be overcome, if any, in order for this lesson to work? What kind of foundation and follow-up activity could be used? How were/could resource people be used? Where would this fit in your curriculum? What is there about this lesson that serves its substance abuse prevention purpose?

DRUGS AND NEGLECT LESSON: Problem 24, pages 357-358 of STREET LAW, fifth edition.

I. INTRODUCTION

Objectives: As a result of this session, participants will be able to:

- discuss the effects of illegal drug and alcohol abuse on society;
- define "neglect";
- analyze a case to determine if neglect has taken place;
- explain the relationship between substance abuse and neglect

II. WARM-UP

Have the participants divide into pairs and have them brainstorm answers to the following question: How have drugs impacted the lives of children? (Probable answers include: victims of violence in the home, the community and the school; rising health care costs; absent parents; etc.)

III. LESSON

A. Brainstorm the definition of "neglect."
B. Read the case on page 357. Compare the neglect statute in the case with examples generated by participants. Go over the key facts and the issues and record them on the flipchart.
C. Mock Hearing Strategy:

Divide the participants into four groups: one group to represent the state, one to represent the mother, one to represent the child and the last to act as judges.

Each group should meet to develop their case. The judges should generate questions they will ask each party. To maximize participation in each group, you can assign the following tasks: one person to give an opening

statement, 3-4 persons to present the case and answer questions posed by the judges and one person to give a closing statement.

For the hearing, the judges should be encouraged to interrupt at any time to ask questions, pose hypothetical, etc. Once they have heard from all of the parties, the panel should deliberate aloud and then render a decision.

IV. DEBRIEF

What were the most compelling arguments for leaving Kimberly with her mother? For removing her from the home? Do you agree or disagree with the decision of the judges? Why? What kinds of remedies are available in this type of case? What kinds of safeguards should have been in place to ensure the success of this family?

Double Debrief: What is the power of this lesson? Why did it work? What obstacles must be overcome, if any, in order for this lesson to work? What kind of foundation or follow-up activity could be used? How were/could resource people be used? Where would this fit your curriculum? What is there about this lesson that serves its substance abuse prevention purpose?

APPENDIX

NATIONAL INSTITUTE FOR CITIZEN EDUCATION IN THE LAW

EVALUATION OF MATERIALS

Please complete the following evaluation for the Substance Abuse Lessons found in Street Law, fifth edition after you have used the materials with your classes.

Name: _____

School name and address: _____

_____

_____

Phone: _____

Grade level(s) of students using material: _____

_____

SA-strongly agree// A-agree// D-disagree// SD-strongly disagree

_____ 1. The skill content in the subtance abuse lessons is appropriate to my classes.
_____ 2. The legal content in the substance abuse lessons is accurate.
_____ 3. The substance abuse lessons are easily infused in the existing curriculum.
_____ 4. The substance abuse lessons stimulated student awareness about the drug problem
_____ 5. The substance abuse lessons are balanced and presented an objective, non-judgmental picture of the drug problem.
_____ 6. The substance abuse lessons encouraged students to address the topic on a variety of levels, including legal, social, moral, and practical issues related to the drug problem.
_____ 7. The substance abuse lessons increased opportunities for students to do problem solving about the nature of and possible remedies for the drug crisis.
_____ 8. The substance abuse lessons encouraged cooperative group learning.
_____ 9. The substance abuse lessons provided useful guidelines and suggestions for the use of outside resource people.
_____ 10. The substance abuse lessons helped students develop skills for dealing with controversy and conflict.

Please answer the following questions as completely as possible.

11. Describe how the substance abuse lessons were used in your classes (as a separate unit, in existing curriculum, etc.).

12. Did you use any resource people in your lessons. If so, explain.

13. What methodology did you use the most?

14. Approximately how many students used the substance abuse lessons?

15. Would you want to use the substance abuse lessons again?

16. Would you recommend these substance abuse lessons to other teachers?

17. How would you rate the substance abuse lessons with other drug materials you have used.
_____Better _____About the same _____Not as good

18. What are the strengths of the substance abuse lessons?

19. What are the weaknesses?

20. What suggestions do you have for improving the substance abuse lessons?

21. How would you describe your school? (urban, suburban, rural, etc.)

22. What kind of training in using NICEL's drug materials did you receive? (Specify how many hours, type of training, by whom, etc.)

Please return this form to: NICEL, 711 G Street, S.E., Washington, D.C. 20003 (202) 546-6644, FAX: (202) 546-6649.

Index of Alcohol, Drug and Tobacco Related Material as Found in Street Law: A Course in Practical Law, Fifth Edition

Alcohol

Subject	chap	Problem	Page(s)
Abuse - spousal	5	12	338
Arrest	2	29	119
Bail Hearings - equal justice	2	text	138-140
Crime	2	1	60-61
Due Process - individual rights	7	text/31	487-488
Employment - individual rights	7	58	543-544
Freedom of Association - individual rights	7	text/16	460-461
General Information	2	text/22	101-104
Homelessness	6	21	423
Intoxication	2	text	112
Juveniles - procedures in juvenile court	2	text	182-183
Negligence - duty & breach	3	19	225
Negligence - products liability	3	29	240
Rape	2	17	92-93
Torts - types of torts	3	3	193-194

DRUGS

Subject	Chap	Problem	Page(s)
Arrest - drug profile	2	text/29	114-117
Bail Hearings - equal justice	2	text	138-140
Child Abuse & Neglect	5	22	356
Child Neglect	5	24	357-358
Crime - generally	2	1	60-61
Crime - types of crimes	2	20	97-98
Death Penalty	2	53	167-168

Subject	Chap	Problem	Page(s)
Discrimination - in housing	6	4	391-392
Drug Testing - athletes	2	text/34	130-131
Drug Testing - loss of employment	7	59, 60	545, 547
Drug Testing - privacy at work	7	56	538-540
Entrapment	2	27	113-114
Freedom of Association - individual rights	7	text/16	461
General Information	2	text/23	104-107
Housing - low income	6	20	420
Housing - renting	6	10	405
Juveniles - generally	2	56	171-172
Juveniles - proceedings in juvenile court	2	text	182-183
Legal System - kinds of laws	1	6	11-12
Legal System - limits of law	1	4	8
Parental Responsibility	5	20, 21	352
Searches - police conduct	2	text	144-145
Searches - student, exclusionary rule	2	38	143
Search & Seizure	2	text/31	126-128
Torts - types of torts	3	3	193-194

TOBACCO

Subject	Chap	Problem	Page(s)
Advertising	4	14	275
Employment - privacy at work	7	54	536
General Information	2	text/24	107-109
Legal System - changing laws	1	14	31
Searches - student, exclusionary rule	2	38	143
Torts - lawsuits	3	2	191